IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3735 OF 2004

Mr.Dineshkumar Gangaprasad Jaiswal.... ... .. Applicant.

Versus

The State of Maharashtra..... .. Respondent.

Mr. S.V.Marwadi for the Applicant.

Mr. A.S.Gadkari, APP for the Respondent.

CORAM : A. M. KHANWILKAR, J.

DATED : 10TH SEPTEMBER, 2004.

P.C.:

Heard learned Counsel for the parties. Perused the record.

2. It is not in dispute that the principal borrower, who are co-accused, namely, Shantaram Eknath Shinde and Uday Pandurang Salvi, to whom the loan amount was disbursed have already been released on anticipatory bail. The Applicant herein in fact stood guarantor for another co-accused Mahendra Salunkhe. It is,

however, not in dispute that no amount was disbursed to Mahendra Salunkhe. Even if the said Mahendra Salunkhe is absconding, in the fact situation of the present case, the Applicant being only a guarantor, the application deserves to be allowed.

3. The Application is, accordingly, allowed on the following terms.

(a) Applicant herein, is granted anticipatory bail in relation to C.R. No. 289/2003 registered with Samata Nagar Police Station on his furnishing personal bond in the sum of Rs.15,000/- and two sureties in the like amount.

(b) The Applicant shall not influence the prosecution witness or tamper with the evidence in any manner whatsoever.

(c) The Applicant shall report to the concerned Police Station initially for a period of four days from tomorrow between 11.00 a.m. to 4.00 p.m. and thereafter once in

fortnight on Saturday between 11.00 a.m. to 4.00 p.m. or as and when required by the concerned Police Station for investigation.

(d) The Applicant shall extend full co-operation for investigation.

(e) The Applicant shall not leave the jurisdiction of Bombay and Thane District without prior intimation to the concerned Police Station.

4. All Authorities concerned to act on an ordinary copy of this order duly authenticated as true copy by the Office.

Sd/-

(A. M. KHANWILKAR, J.)